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THE FENIAN SPIRIT OF JOHN WARREN

Dr Lucy E. Salyer[1]

In 1864, John Warren, a native of Clonakilty, launched his newspaper *The Fenian Spirit* in Boston, Massachusetts, boldly declaring its purpose 'to inculcate and perpetuate our undying hatred of English oppression' and secure 'Ireland's National Independence!'[2] No one could doubt the Fenian spirit of Warren. 'He has always been in the front rank when the tocsin-peal was sounded', noted *Frank Leslie's Illustrated Newspaper* in 1869.[3] After immigrating to America in 1853, Warren joined the Fenian Brotherhood, serving as the centre for Massachusetts in 1863, the President of the New England Convention of the Fenian Brotherhood in 1864 and, in his most daring venture, as one of the commanders on *Jacmel* (rechristened *Erin's Hope*) which sailed to Ireland to aid the March Rising of 1867 and 'revolutionize Ireland'.[4] His *Jacmel* voyage would end in his arrest and conviction for treason felony, as well as his immortalisation in John Savage's *Fenian Heroes and Martyrs*.[5] Warren did not free Ireland, though not for the lack of trying. But he did achieve revolutionary change of a different sort, provoking a diplomatic ruckus that ended with far-reaching changes in the British and American law of citizenship.

Reflecting on his political awakening as a young boy in Clonakilty, Warren credited his 'patriotic parents' who taught him 'by example and instruction'

about his proud Irish heritage.[6] His parents, Timothy Warren and Mary née Canty, and his uncle, Michael, were wool combers, an old and respected trade that had once commanded high wages and prestige in Co. Cork. The only son of five children, Warren would have likely followed his father's trade, had times been good.[7] But by May 1834, when Warren was born, the Irish wool industry had plummeted, the victim of mechanisation and British policies that favoured English over Irish woollens, followed by a precipitous decline in the linen industry. Even as they welcomed their newborn son, the Warrens must have worried about his future as the prospects of the family and of the town of Clonakilty looked bleak. In 1824, Clonakilty had been described as 'a considerable market town' bustling with trade,[8] but in 1846, on the eve of the Famine, Clonakilty, with its population shrinking, took on 'an appearance of desertion, decay, and coming misery'.[9]

Still, Warren had what sociologists today call 'social capital'; he was born into a close-knit network of artisans and shopkeepers who had both a modicum of economic resources and, most importantly for his future career, a strong orientation towards politics.[10] Warren clearly received a formal education somewhere in Clonakilty, a distinctive achievement as nearly 48% of the town's residents could neither read nor write in 1841.[11] But what he learned outside of school in the tumultuous 1840s proved just as formative for the budding Irish nationalist. As Michael O'Mahony points out in his article on the Irwins, Warren's first cousins, Maxwell Irwin and Timothy Warren-Anglin both participated in the Young Ireland Movement in 1848, probably providing stirring models for the fourteen-year-old Warren, who would later lionise the heroes of '48 in his *Fenian Spirit* newspaper. Before departing in the aftermath of the Famine and leaving Clonakilty's stagnant economy behind, he had clearly become steeped in Irish nationalist history and politics, perhaps learning his future craft as a writer in one of the three newspaper reading rooms in Clonakilty where he might have found the *Nation* or pamphlets on Irish history and literature, published by the National Library of Ireland.[12]

Warren left for America in the spring of 1853 and later drew on familiar nationalist rhetoric to describe his 'exile' from his beloved country:

> I was born beneath [England's] … oppressive flag; but, guided by the example and instructions of patriotic parents, ere many years I realised my position. I observed, I read. I saw I was a slave, a victim of a cruel policy to my country and my race … I aspired to be free … I pictured to myself the honour, the glory, the position, which lay open to me beneath the glorious Stars and Stripes; and again, the obligations I owed to the home of my fathers.[13]

Fig. 1: John Warren (Taken from *The Dock and the Scaffold: The Manchester Tragedy and the Cruise of the Jacknell.* 1868. Available online at https://www.gutenberg.org/files/12961/12961-h/12961-h.htm).

Warren painted a sorrowful picture of his departure, shared by thousands of Irish forced out of their homeland, their exile breeding long-smouldering resentment: 'a happy home is broken up; a disconsolate mother, weeping sisters, relatives and friends, point out the fact that the mainstay of the old

family is broken; another exile expatriated; another victim gone with a vengeance'.[14]

Warren undoubtedly found his leave-taking painful but the actual circumstances of his emigration and settlement in the United States seem slightly less grim than his rhetoric suggests. By 1860, much of the Warren family, including his 'weeping sisters' and 'disconsolate mother', had regrouped in Boston, the 'Dublin of America'. Arriving in Boston on 17 June 1853, Warren, just nineteen years old, may have travelled with his older sister, Mary Ann (1832–1903), her husband, Dennis O'Leary (1814–1900), and their two young children.[15] Mary Ann would become the mainstay of the Warren family in America, taking in family members into her Arlington, Massachusetts, home over the years.[16] By 1860, Warren's sister, Anastasia, was living in Saugus, Massachusetts, and working as a cigar maker.[17] His widowed mother, Mary, resided with him and his own growing family in Charlestown, across the Charles River from Boston and home to the naval shipyard and

Fig. 2: Headstone of Dennis O'Leary and Mary Ann Warren O'Leary and family, St Paul Cemetery, Arlington, Massachusetts (Photo: author 2010).

a growing community of Irish immigrants.[18] Warren married Joanna (also known as 'Hannah' or 'Anna') Madigan and by 1865, had five children.[19]

Warren embraced his new home, championing America as a 'great and glorious Republic',[20] even though it did not always live up to its professed values. The Warrens landed in Boston just as the Know-Nothing movement reached its peak, targeting Irish Catholics as 'un-American' and a danger to republican liberty. Under the control of the 'American Party', Massachusetts passed laws to investigate Catholic nunneries, bar newly naturalised Americans from voting for twenty-one years and deport Irish immigrant paupers.[21] Undeterred, Warren seized the opportunity to try and improve his situation, attending Comer's Commercial College which courted immigrants with courses in penmanship, bookkeeping and banking, as well as with promises of upward mobility.[22] But even he could not escape the tragedies that awaited many Irish immigrant families. Of his five children born between 1856 and 1865, only one survived into adulthood, the others dying of consumption and 'scrofula' (tuberculosis), diseases that plagued densely-packed immigrant neighbourhoods.[23]

The American Civil War dampened the nativist fires, as many Irish Americans, Warren included, rushed to join the Union Army and protect the republic that had provided them asylum.[24] Warren raised his own company of 101 men from Boston to join Thomas Francis Meagher's 'Irish Brigade' in New York, its members marching off to war, carrying both the green Irish flag, emblazoned with the golden harp, and the 'starry flag' of the United States, before cheering American crowds. Soon the cheers died down as the reality of America's bloodiest war set in with the Irish Brigade having been decimated by devastating losses at Antietam and Fredericksburg.[25] Warren's own military career, which had begun on a high note, was chequered. Before his company had even started to fight, Warren was convicted by a court martial on 1 February 1862 for being drunk and falling asleep while serving on picket duty.[26] Warren passionately denied the charges, pleading to President Abraham Lincoln to reinstate him to the army, soon to go into battle:

> My regiment is now about being engaged in that actual struggle for which we have waited so long; and I who have borne without a murmur the hardships and dangers of a winter encampment on a bleak cold hill

side in Virginia, am about to be sent to my northern home, dishonored, ruined, and I might say, broken hearted …[27]

Warren's eloquent pleas worked with even the members of the General Court Martial, who had convicted him, recommending clemency because of his 'ardent desire to serve his country' and the high regard in which he was held by fellow officers.[28]

Reappointed as captain in his regiment, Warren once again faced court martial and a dishonourable discharge just six months later for being absent without leave.[29] Warren again leapt to his own defence and the 'everlasting reproach on me and my family', arguing his commanding officer, Colonel John Burke, sought revenge because Warren had accused him of cowardice. Ever since, Warren claimed, 'I was a marked man'.[30] A court martial subsequently found Burke guilty of cowardice during the Battle of Antietam, for having 'crawled from the battlefield while his regiment was engaged with the enemy'. Finding Warren's story 'frank and plausible', Judge Advocate General of the United States Army, Joseph Holt, recommended the order dismissing him from service be revoked but, for some reason, it was not.[31] It would take thirty years and a special act of Congress to remove the stain from Warren's military record.[32]

Returning home in disgrace to Charlestown, Warren set up shop as a grocer and provision dealer, offering 'wines, liquors & cigars, ale, porter' (see Fig. 3).[33] But his real passion became advancing the cause of the Fenian Brotherhood. Founded in the United States by John O'Mahony in 1859 as a sister organisation of James Stephens's Irish Republican Brotherhood in Ireland, the Fenian Brotherhood grew rapidly during the American Civil War. Its goal was to liberate Ireland from British rule through armed revolution. Fenians joined the Northern army to preserve the Union but also to gain military experience for their anticipated armed conflict with England. Fenians were recruited heavily among the Irish Brigade and by the end of the war, the secret organisation had perhaps as many as 250,000 members.[34] Warren claimed to be a founding member of the Brotherhood and, by 1863, had become the organisation's 'head centre' for Massachusetts, attending the first national Fenian Brotherhood convention held in Chicago in November 1863.[35] In August 1864, John O'Mahony appointed Warren to be the 'Central Organizer' for New England, a task Warren relished as he busily organised

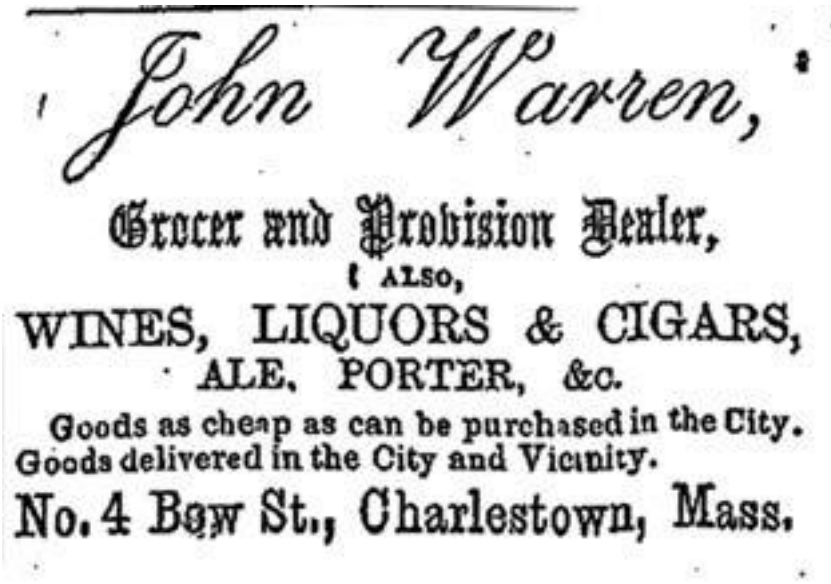
John Warren,
Grocer and Provision Dealer,
ALSO,
WINES, LIQUORS & CIGARS,
ALE, PORTER, &c.
Goods as cheap as can be purchased in the City.
Goods delivered in the City and Vicinity.
No. 4 Bow St., Charlestown, Mass.

Fig. 3: Advertisement, 'John Warren, Grocer and Provision Dealer' (*Fenian Spirit*, 15 Oct. 1864).

new 'circles' of Fenians, triumphantly reporting to John O'Mahony that 'our cause never was in a better condition than it is at the present time'.[36]

Warren, along with his co-editor Peter O'Neill Larkin, launched the fiery though short-lived *Fenian Spirit* newspaper the same month.[37] In many respects, the *Fenian Spirit* resembled other immigrant newspapers that flooded American cities in the nineteenth century, providing news of the home country and a vehicle to track down missing loved ones who had emigrated. 'Information wanted of Edmond Kearney, who left the co. Cork thirty years past; was heard of (indirectly) twelve years ago. Tidings of him will be thankfully received by his sorrowing brother, William', read one plaintive notice.[38] But the overriding purpose of the newspaper, as its masthead made clear, was to spark armed revolution in Ireland by rousing Irish Americans to action (Fig. 4). The masthead featured a rising Phoenix, an Irish harp and a cannon, followed by a couplet from a poem by the Young Irelander, Thomas Davis:

The patient dint and powder shock
Can blast an empire like a rock![39]

THE FENIAN SPIRIT.

"The patient dint and powder shock
Can blast an empire like a rock!"—Davis.

VOL. I.—NO. 9. BOSTON, SATURDAY, OCTOBER 15, 1864. PRICE SIX CENTS.

Fig. 4: Masthead of *Fenian Spirit*, 15 Oct. 1864.

Readers were treated to heavy doses of Irish nationalist history; lessons in military tactics with detailed instructions on how to build trenches and field fortifications; updates on foreign affairs (especially those involving victimised nationalities, from the Poles to the Māori of New Zealand); and original patriotic poems.[40] The editors took their poetry seriously and woe to the hopeful poet who did not measure up to their literary standards. 'No poetry whatever in your composition, merely a jingle of words disconnected and without sense', they wrote in a public rejection of James McCarthy's submission. To 'Italie', they wrote: 'We cannot find space for your love-sick effusions – your "dream effulgent" "beams" or "lattice of the heart" ravings, – nothing manly in it. Better send it to some of the sensation papers devoted to romance, nonsense and literature'.[41]

Warren and Larkin kept up a steady drumbeat for the coming war in Ireland, lashing out at 'professed patriots' who spouted 'long-winded' speeches but did little else to free Ireland, and at young Irishmen 'who spend their time in frolic, and pleasure and amusement, forget the old country and her woes in the whirl of excitement and bustle' of America.[42] Women, too, needed to embrace the Fenian spirit. 'Women of New England, toiling in factories, laboring in kitchens, or lolling in luxurious parlors, daughters of Ireland,

wherever you may be stand by our country now. Organize!' Gird your men for the coming battle, urged Ellen Mahoney, director of the Fenian Sisterhood. 'We can ostracize the mere *talking patriots*'.[43] Words ('useless twaddle') would not win Irish freedom, Warren declared.[44] 'Let your logic be made of lead, let your orators be cannon … make bonfires of your petitions', he urged. 'Cease to be beggars, and make yourselves men!'[45]

The American Fenians were divided bitterly over tactics, with the 'Roberts wing' pushing for armed invasion of Canada, as part of the British empire, and launching three unsuccessful military raids in June 1866. The 'O'Mahony wing' focused on spurring rebellion in Ireland by sending over arms and men in small groups beginning in 1865, in preparation for an eventual rising. Both factions agreed, however, that the ultimate goal was to bring Britain and the United States, already at odds over the American Civil War, to blows. 'If the Celto-American incendiaries could only find out … a ground of quarrel with England, … it would be impossible to maintain peace for a single day', warned one critic and Ireland might win freedom as an ally of the United States in the process.[46] Warren strove to keep the fractious Fenian Brotherhood together, pleading 'In God's name … unite' as the Rising finally appeared on the horizon.[47] But Warren would do his best to fan divisions between Britain and the United States as he embarked on the most well-known phase of his Fenian career: the voyage of *Erin's Hope*.

On 12 April 1867, forty Fenian men boarded *Jacmel*, a small brigantine loaded with at least 5,000 rifles and revolvers, one and a half million rounds of ammunition and three small pieces of artillery.[48] They set off from New York City to aid the long-awaited Rising in Ireland, which had finally taken place on 5 March under the leadership of Colonel Thomas J. Kelly. Kelly urgently pressed American Fenians to send ships with men and arms, saying 'A landing in Sligo at the present time would be of infinite service'.[49] Brigadier-General James E. Kerrigan, a colourful and brash politician from the infamous Five Points neighbourhood, commanded the ship, followed by Colonels William J. Nagle, a Civil War veteran born in New York, and Warren, serving as third in command.[50] Leaving without clearance and flying no colours, *Jacmel* experienced smooth sailing at first, stopping on Easter Sunday, 21 April, to re-christen the ship *Erin's Hope*. Raising a green flag with a yellow sunburst and saluting it with thirty-two shots from the artillery guns, one for each county of

Ireland, the crew received their official orders: they were to deliver their arms at Sligo (see Fig. 5).[51]

Fig. 5: 'The "Erin's Hope" Saluting the Green Flag'
(Taken from *The Dock and the Scaffold*).

The mission soon ran aground, however. Upon reaching Sligo, they discovered the Rising had collapsed as Dublin Castle, forewarned by informants, responded swiftly to repress the rebellion. Advised to try landing their cargo on the southern coast of Cork, where pockets of rebellion still survived, the commanders of *Erin's Hope* decided to sail south but not before trouble broke out on board the ship. Daniel Buckley, born in Munster, later the Crown's star informant at Warren's trial, shot two of the crew in what he claimed was an accident.[52] The injured men were put ashore on Streedagh Strand, Co. Sligo, along with fellow crewman Patrick Nugent, who also hailed from Clonakilty. They were quickly scooped up and imprisoned by the Coast Guard who busily began to investigate the mysterious men.[53]

Meanwhile, a coastguard officer at Helvick Head, near Dungarvan, Co. Waterford, raised the alarm a few days later, on 1 June, when he saw 'some thirty suspicious looking men' struggling to shore, arriving wet and sandy. Desperately low on provisions, the *Erin's Hope* commanders had decided to land most of the men near Dungarvan, with the hope that Warren would be able to contact friends (perhaps in Clonakilty) to obtain provisions and arrange to land the arms. But within hours, all thirty had been arrested. Their arrival in the coastal town of Dungarvan 'electrified the inhabitants' who viewed the strangers as 'veritable wonders'.[54]

When the men were transferred to the gaol in Waterford, they entered the city as heroes, greeted by a crowd of 4,000. 'The windows were filled with young women', reported Resident Magistrate George Goold, who serenaded the men with the ballad, 'The Fenian Men'. As the police escort threaded their way through 'Ballybricken, where the Butchers principally dwell, they were loudly cheered, these cheers being interspersed with sulky mutterings about the "Bloody Red Coats" & "Bloody Soldiers"'. Soon the jeering crowd began to pelt the police with brickbats and stones, prompting harsh retaliation by the police which ended in a violent conflict that residents called a 'massacre' and officials deemed a 'riot'.[55] Anxious to tamp down the Fenian craze, Lord Naas ordered that the men be imprisoned at Kilmainham Gaol in Dublin. By early November, Warren had been tried and convicted of treason felony at Green Street Courthouse (Fig. 6), on information provided by Buckley and other 'approvers', and sentenced to fifteen years hard labour.[56] Another *Erin's Hope*

man, Augustine Costello, a native of Killimor in Co. Galway, was convicted soon thereafter, sentenced to twelve years in prison.[57]

Fig. 6: Green Street Courthouse, Dublin. The site of John Warren's treason-felony trial, Oct.–Nov. 1867. Built in 1796, the courthouse was home to the trials of some of the most famous political leaders in Irish history, including Robert Emmet in 1803, the 'Young Ireland' leaders in 1848, the Irish People publishers from the Irish Revolutionary Brotherhood in 1865 and the commanders of the 5 March Rising. In more recent years, the Special Criminal Court tried IRA members accused of terrorist activities before the courthouse closed in 2009 (Photo: author 2007).

Warren fought back, drawing on three precious resources: his friends in Clonakilty, his pen and his American citizenship. Protesting that he was a newspaper man, 'collecting notes' and returning 'to see the old scenes … meet the old friends of my boyhood and near and dear relatives', Warren, along with Nagle, petitioned the Lord Justices (unsuccessfully) for either a trial or

Fig. 7: Augustine Costello (Taken from *The Dock and the Scaffold*).

their release from Kilmainham Gaol on 30 July 1867, saying a 'friend' had bought them tickets on a steamship for America the next day.[58] This friend was Maxwell Irwin who, though struggling with his own financial worries, purchased the tickets and pushed 'to get the poor fellow his release'. The Irwins also forwarded Joanna Warren's address in Boston to Mary Jane Irwin, Maxwell's daughter and wife of the imprisoned Fenian leader Jeremiah O'Donovan Rossa, suggesting that Mary Jane visit her while on a speaking tour in the United States.[59] As friends sought his release, Warren took up his pen to publicise his cause, writing to the President of the United States, Congress,

the US consul in Dublin and, most importantly, newspaper editors. Warren may have previously disdained words as 'useless twaddle', arguing that any petitions should be sent '*at the sword-point!*', but he clearly had a way with words and they would be his most powerful weapon as he sat in Kilmainham Gaol and in the dock at Green Street Courthouse.[60] Irish nationalist newspapers picked up his cause, reprinting such letters as 'A voice from the dungeon'. Soon, stories about Warren and his fellow prisoners also popped up in sympathetic American newspapers, especially as Warren worked to link his arrest to his status as an American citizen. He worked hard to persuade Americans that 'my case is your case'.[61]

Only four months before he left on *Jacmel*, Warren swore allegiance to the United States and became a naturalised citizen on 12 December 1866. If his pen was his sword, Warren saw his American citizenship as a shield, protesting mightily to the US government about his ill treatment by the British government. He demanded access to the US consul at Dublin and insisted that, at trial, he should be afforded the same privileges as aliens, including the right to a 'mixed jury'. The mixed jury, a rarely used common law procedure, afforded aliens facing criminal charges a jury of half aliens and half British subjects. The British breezily dismissed his claims, responding with the infuriating quip, 'once a subject, always a subject'.[62] Warren might have renounced his allegiance to Queen Victoria and sworn allegiance to the United States in the courthouse in Suffolk, Massachusetts, but his actions did nothing to alter the fact that he was born in Ireland and thus, under the British doctrine of perpetual allegiance, remained a British subject until the day he died. Using his trial as a political stage, Warren warned Americans that under the British theory, not only were those born in Britain and Ireland perpetual British subjects but so too were their children and grandchildren who lived abroad. They could 'claim as British subjects Andrew Johnson, our President, Secretary Seward, and Governor Fenton, of New York'.[63] Warren ended his impassioned speech with a call to arms in America, demanding that the United States honour its obligation to protect all Americans, naturalised and native-born alike.

> If England is allowed to abuse me as she has done, … and the only allegiance I ever acknowledged is not to be vindicated, then thirteen millions of the sons of Ireland who have lived in happiness in the United States up to this will have become the slaves of England.[64]

Warren had his intended effect: he kicked up quite a fuss in the United States which, in turn, put pressure on the British Foreign Office and the US State Department to resolve the right of individuals to change their political allegiance, an issue that had plagued Anglo-American relations since the American Revolution. Warren's case touched a nerve among thousands of foreign-born Americans, German as well as Irish, who insisted they deserved the same protections offered native-born Americans while travelling abroad. The fact that William Nagle, born in America to Irish parents and thus a 'native-born' American citizen, received different treatment in Irish courts and, by May 1868, had been freed while Warren sat in Chatham Prison, Kent, only reinforced naturalised Americans' sense that they were second-class citizens. Mass meetings and protests mushroomed across the United States. Fenians pulled out all the stops in a grand evening rally for Warren in Boston on 7 December 1867. Almost 4,000 protestors attended, marching behind O'Connor's Brass Band and holding aloft 'transparencies' – banners illuminated from behind with gas lamps – which mingled with calls for Irish independence ('Ireland's rights or England in a blaze') and the recognition of *all* Americans' rights ('We demand our rights as citizens').[65]

Determined to contain the conflict and neutralise the troublesome Fenians, Britain and the United States adopted landmark domestic laws and treaties to settle conflicting jurisdiction and membership rules.[66] The United States passed the Expatriation Act of 1868, declaring for the first time in its written law that 'the right of expatriation [i.e. the right to choose one's political allegiance] is a natural and inherent right of all people' and obligating the American government to protect *all* citizens, naturalised and native-born, while abroad.[67] Even more dramatically, the British parliament abandoned its centuries' old doctrine of perpetual allegiance, passing the landmark Naturalization Act of 1870, making it easier to become a naturalised subject, and explicitly recognising the right of a subject to renounce his allegiance. The Anglo-American Naturalization Treaty of 1870 soon followed, settling an age-old dispute as the British government agreed to relinquish its hold on subjects who were naturalised in America.[68]

On 4 March 1869, the British government grudgingly released Warren and his compatriot, Augustine Costello, as part of its efforts to pacify both the United States and the Fenians in Ireland. Warren headed straight for Cork and then his beloved Clonakilty. An 'immense throng' greeted him at the train station in Bandon, cheering him, the 'Stars and Stripes', and the *Jacmel* with 'wildest enthusiasm'.[69] A band serenaded Warren with nationalist tunes as he and the crowd travelled towards Clonakilty, the road lit by blazing barrels of tar. 'A hundred thousand welcomes greeted the whilom exile and convict on his return to his native town', noted the *Irish Times*.[70] Maxwell Irwin and his sons were among the many who turned out to 'do honor to the gallant patriot'. Until Warren and Costello sailed for the United States on 29 April, they were toasted, cheered and celebrated at one reception after another.[71]

Warren and Costello showed no repentance as they lashed out at Britain in their victory lap around Ireland before their departure. 'The sword is the most efficacious weapon to uplift a downtrodden nation', Warren proclaimed before a boisterous Cork crowd, singing 'in a fine manly voice, "The Sword of Bunker Hill", a popular tune celebrating America's victory over Britain in the Revolution'. The sword had freed America and 'revolutionised the planet'; it could still free Ireland.[72] These did not seem idle words, given the tempestuous crowds and the Mayor of Cork's scandalous speech at Warren's reception, praising the attempted assassination of Prince Alfred in Australia. British critics denounced the speeches of Warren and the mayor as 'rank treason!' There would be no further amnesty for Fenian prisoners, announced embittered government officials, given the 'poor return' from ungrateful wretches.[73] But Jeremiah O'Donovan Rossa refused to condemn Warren's actions, even if they prolonged his own imprisonment. He later recalled that he had urged Warren, imprisoned at the same jail, to do whatever he thought proper after his release. 'England would keep us in here forever if she thought that by doing so she could keep Ireland from saying or doing anything hostile against her'.[74]

Warren returned to America a hero, even obtaining an audience with President Ulysses S. Grant to make a plea to free the remaining Irish prisoners. But his family had disintegrated, his wife Joanna and daughter, Eliza, having died while he was in prison. Warren soon remarried a widow, Bridget Markey Smith, in New Jersey in 1873, but they soon became estranged as Warren returned to Boston.[75] There he enjoyed a certain local fame, frequently

organising events, speaking on the cause of the moment and serving as the President of the 'Old Guard' of Boston Irish nationalists.[76] Warren kept busy, starting a new newspaper, *The Irish Republican and Free Lance*, and becoming somewhat of a 'jack of all trades', his business card from 1892 advertising himself as 'Real estate and insurance broker, auctioneer and justice of the peace. General agency. Rents collected, property taken care of, government claims secured'.[77] When Warren died unexpectedly on 13 September 1895, at the age of sixty, 'many old comrades in arms and liberty-loving Irishmen', along with representatives from every imaginable 'Irish patriotic association'

Fig. 8: Headstone of John Warren and also of Anastasia and Mary Warren, St Paul Cemetery, Arlington, Massachusetts (Photo: author 2010).

turned out for his funeral. Augustine Costello, his still youthful companion from *Erin's Hope*, delivered a stirring eulogy. A loyal American who 'most honorably upheld the stars and stripes' in the Civil War, Warren had also 'buckled on his armor … to shatter the chain which bound his oppressed' native land when he set out on *Erin's Hope*. He now joined that 'immortal band of heroes … whose blood has been shed for Ireland in every generation and whose sacrifices shall yet result in achieving the independence of our native land'. And with that, John Warren was put to rest.[78]

(Endnotes)

1 Associate Professor Lucy Salyer with the Department of History, University of New Hampshire, is the author of the forthcoming *Citizens by Choice: Irish Americans, the Fenian Revolt, and the Crisis of National Allegiance*. Cambridge, Mass.

2 Warren, J. 'Prospectus of the Fenian spirit'. *Fenian Spirit*, 27 Aug. 1864, p. 4.

3 'Colonel John Warren'. *Frank Leslie's Illustrated Newspaper*, 29 May 1869, p. 163.

4 Chamney, W. G. 1867. *Report of the Trial of John Warren, for Treason-Felony at the County Dublin Commission*. Dublin, p. 32.

5 Savage, J. 1868. *Fenian Heroes and Martyrs*. Boston, pp. 448-50.

6 'Letter from Colonel Warren'. *The Nation*, 3 Apr. 1869.

7 Timothy and Mary Canty Warren (c. 1811–85) were married in 1829, see Marriage of Timotheum Warren and Mariam Canty, 25 October 1829, Clonakilty parish, microfilm 04772 / 03, p. 61, Catholic Parish Registers (hereafter CPR), National Library of Ireland (hereafter NLI), originals of all Catholic Parish records available to view at http://registers.nli.ie and for digitised details, see https://churchrecords.irishgenealogy.ie/churchrecords/. For Mary Canty Warren's birth/death dates, see 'Warren' headstone, St Paul Cemetery, Arlington, Mass. It is possible that Mary was not born until 1812, as there is a Mary, daughter of John Canty, baptised 24 October 1812 in Clonakilty parish, see microfilm 04772 / 01, p. 29, CPR, NLI. Timothy and Mary Warren had five children, listed as follows with baptism dates: Teresa, 19 January 1830 (Clonakilty parish, microfilm 04772 / 02, p. 22, CPR, NLI); Mary Anne, 6 September 1832 (Clonakilty parish, microfilm 04772 / 02, p. 36, CPR, NLI); John, 18 May 1834 (Clonakilty parish, microfilm 04772 / 02, p. 47, CPR, NLI); Anastatia [alternately spelt Anastasia], 16 April 1836 (Clonakilty parish, microfilm 04772 / 02, p. 59, CPR, NLI); Eliza, 11 March 1838 (Clonakilty parish, microfilm 04772 / 02, p. 69, CPR, NLI). All baptismal records show that the family were living at Main Street (now Rossa Street), Clonakilty. John gave his birthdate as 14 May 1834 on his naturalization certificate, see Certificate of Naturalization for John Warren, 12 Oct. 1866, Superior Civil Court, Suffolk Co., Boston, Mass., p. 189. Mary Ann (Warren) O'Leary died 1903, see Massachusetts death records, Commonwealth of Massachusetts, Return of a death, no. 58, 9 May 1903; Anastatia V. Warren died 1904, see Massachusetts deaths and burials, 1795–1910, d. 30 Aug. 1904, ref. no. 541.

8 Pigot, J. and Co. 1824. *Pigot and Co.'s City of Dublin and Hibernian Provincial Directory*. London, pp. 234-6, transcription available at http://www.failteromhat.com/pigotm.php [accessed 23 May 2012].

9 Lewis, S. 1846. *Topographical Dictionary or Parliamentary Gazetteer of Great Britain and Ireland*, vol. 7. London, p. 423; see also Burnette, J. 2008. *Gender, Work and Wages in Industrial Revolution Britain*. Cambridge, pp. 268-9; Cullen, L. M. 1973. *An Economic History of Ireland Since 1660*. New York, pp. 9, 11, 23-5, 64-6, 99, 106, 121. The population of Clonakilty dropped from 4,033 in 1821 to 3,297 in 1851, and in 1861 to 3,108. See Vaughan, W. E. and Fitzpatrick, A. J. (eds) 1978. *Irish Historical Statistics: Population, 1821-1971*. Dublin, pp. 3, 9, 32-3.

10 Dasgupta, P. and Serageldin, I. (eds) 2000. *Social Capital: A Multifaceted Perspective*. Washington, D.C. The baptismal records of Warren's extended family reveal social and familial ties, as godparents were often relatives but also local artisans.

11 Based on numbers provided by Samuel Lewis in 1846, of 1,612 males and 1,953 females over the age of five, 779 males could read and write (48.3%) compared to 563 females (28.8%), while 643 males (39.9%) and 1,056 females (54%) were completely illiterate. See Lewis, *Topographical Dictionary or Parliamentary Gazetteer of Great Britain and Ireland*, p. 423. Regarding schools in Clonakilty, directories for the period refer to a School of Industry for Girls, one for Protestants and another for Catholics; a Protestant-run school for boys supported by the parish and the Dublin Association for Discountenancing Vice and the Promotion of Religion and Virtue; and a 'Classical School' established by the Earl of Shannon, attended by 'more than 60 boys'. See Lewis, S. 1837. *A Topographical Dictionary of Ireland*, vol. 1. London, p. 348, available to view at http://www.askaboutireland.ie; Gorton, J. 1833. *Topographical Dictionary of Great Britain and Ireland*. London, p. 463; Pigot, *Pigot & Co's Provincial Directory of Ireland*, p. 235.

12 O'Mahony, M. 2017. 'The rise and demise of the Irwins of Clonakilty'. *Clonakilty Historical and Archaeological Journal 2*, this issue; Legg, M. L. 1999. *Newspapers and Nationalism: The Irish Provincial Press, 1850–1892*. Dublin, pp. 22-3, 58-66.

13 'Letter from Colonel Warren'. *The Nation*, 3 Apr. 1869.

14 'Letter from Colonel Warren'. *The Nation*, 3 Apr. 1869.

15 Date of Warren's arrival in Boston taken from Certificate of Naturalization for John Warren, 12 Oct. 1866, Superior Civil Court, Suffolk Co., Boston, Mass., p. 189.

16 Mary Ann Warren married Dennis O'Leary on 30 June 1849 in Clonakilty with Maxwell Irwin as one of the witnesses, see Clonakilty parish, microfilm 04772 /

03, p. 130, CPR, NLI. Dennis had been married previously to Anne Martin and had a son from his first marriage: Tim baptised 20 Mar. 1846, see Clonakilty parish, microfilm 04772 / 02, p. 125, CPR, NLI. Mary Ann and Dennis appear in the 1855 Massachusetts State Census (as 'O Lary'), reel 18, vol. 25; and in the 1860, 1870, 1880 and 1900 federal census records, which reveal she eventually owned a house in Arlington and took in two of John Warren's children, Timothy and John, who lived with her in 1870. Based on the federal census records, Mary Ann and Dennis had five children: Michael (1850); Mary Ann (1852); Jerome (1854); John T. (1856/57); Eliza J. (1860).

17 *1860 United States Federal Census*, microfilm publication M653, Washington, D.C., National Archives and Record Administration (hereafter NARA), available at Ancestry.com. Schedule I: Free Inhabitants of the Town of Saugus in the Country of Essex, State of Massachusetts, p. 39.

18 *1860 United States Federal Census*, microfilm publication M653, Washington, D.C., NARA, available at Ancestry.com. Schedule I: Free Inhabitants in Charlestown in the County of Middlesex, State of Massachusetts, p. 32.

19 Timothy (1856–1906); George (1858–?); Eliza Jane (1861–68); Robert Emmett (1863–65); John (1865–73). Information from Massachusetts State Archives, death records and birth records.

20 'Letter from Colonel Warren'. *The Nation*, 3 Apr. 1869.

21 Anbinder, T. 1992. *Nativism & Slavery: The Northern Know-Nothings and the Politics of the 1850s*. New York, pp. 127, 135-9; Mulkern, J. R. 1990. *The Know-Nothing Party in Massachusetts: The Rise and Fall of a People's Movement*. Boston, pp. 91-5; Hirota, H. 2017. *Expelling the Poor: Atlantic Seaboard States and the Nineteenth-Century Origins of American Immigration Policy*. New York.

22 'Death of Col John Warren'. *Boston Daily Globe*, 15 Sep. 1895, p. 20.

23 Robert Emmett Warren died 1865, see Massachusetts death records, 1865, vol. 184, p. 144; Eliza Jane died 1868, see Massachusetts death records, 1868, vol. 212, p. 79; John (Jnr) died 1873, see Massachusetts death records, 1873, vol. 247, p. 2. George Warren, born 1858 and appearing in the 1860 federal census, appears to have died as well though no death record could be located. Only Timothy, the eldest, outlived his father. On Irish poverty and sickness, see Kenny, K. 2000. *The American Irish: A History*. New York, pp. 107-08; Handlin, O. 1941. *Boston's Immigrants 1790-1865: A Study in Acculturation*. Cambridge, Mass., pp. 114-17.

24 Irish Americans fought on both sides of the American Civil War, their loyalties often tied to the region in which they lived. See Gleeson, D. 2010. 'Irish rebels, Southern rebels: The Irish Confederates'. In S. J. Ural (ed.) *Civil War Citizens: Race, Ethnicity, and Identity in America's Bloodiest Conflict*. New York, pp. 133-55; Kenny, *American Irish*, pp. 122-3.

25 '1864'. *Fenian Spirit*, 27 Aug. 1864, pp. 4-5. Warren was a captain in Company B of the 63rd New York Regiment. On Irish in Civil War, see Bruce, S. U. 2006. *The Harp and the Eagle: Irish-American Volunteers and the Union Army, 1861-1865*. New York.

26 Lieutenant James McGuire claimed Warren also challenged him to a duel, calling him 'a damned coward, a villain, a New York bummer' but the court martial found Warren not guilty of these charges. See NARA, RG 153, Records of the Office of the Judge Advocate General, Court-Martial Case Files, II761, Capt. John Warren, Headquarters, Army of the Potomac, 28 Feb. 1862, General Orders no. 79.

27 John Warren to Abraham Lincoln, 24 Mar. 1862, in Court-Martial Case Files, II761.

28 L. Thomas, Adjutant General, US Army to Edwin D. Morgan, Gov. of New York, 25 Mar. 1862, in Court-Martial Case Files, II761.

29 US War Department, Adjutant General's Office, Special Order no. 245, 17 Sep. 1862.

30 Warren claimed that he brought charges against Burke for cowardice at Antietam, but the timing raises questions. The Battle of Antietam occurred on 17 September 1862, but Burke had recommended Warren's discharge on 4 September 1862 for being absent without leave. The War Department ordered Warren's dishonourable discharge on 17 September, the day of the Battle of Antietam. It is unclear whether Warren was even in the battle, though he claims he was. But Warren reported another conflict with Burke after the Battle of Malvern Hill of 1 July 1862. Warren claimed that Burke shot himself in the leg at Malvern Hill to avoid battle. When Burke returned to the regiment after recovering from his wound, Warren refused 'to salute an officer against whom a charge of such gross cowardice had been made', instead 'I drove my sword to the hilt into the ground'. It was this act that Warren claimed made him a 'marked man'. Warren to Judge Advocate Gen. Holt, 8 June 1863. NARA, RG 94, Records of the Office of the Adjutant General Volunteer Service Branch, 1886, file 17289.

31 Judge Advocate General's Office, 10 June 1863 [note appended to bottom of Warren's letter], Records of the Office of the Adjutant General Volunteer Service Branch, 1886, file 17289.

32 In 1886, Warren applied for back pay, arguing he was under-compensated for his military service as a captain in the Union Army. The Treasury Department denied his claim on the grounds that he had been dishonourably discharged. Warren again contested the justice of his discharge, but the US War Department said it had no power to revoke a dishonourable discharge. The only remedy was to obtain special legislation from Congress, which Warren secured in 1892. See Warren to Senator Wyck, 26 Nov. 1886; Form 180, Treasury Department, 20 Oct. 1886; F. C. Ainsworth to Senator H. C. Lodge, 1 Oct. 1890, all in NARA, RG 94, Records of the Office of the Adjutant General Volunteer Service Branch, 1886, file 17289; US Congress, 52nd Cong. 1st sess. H. R. 4489: A Bill for the relief of John Warren,

21 Jan. 1892, in RG 233. Records of the House of Representatives. 52nd Cong. Accompanying Paper Files of Petition of John Warren.

33 Advertisement for 'John Warren, Grocer and Provision Dealer'. *Fenian Spirit*, 20 Aug. 1864.

34 Scholars' numerical estimates of Fenian membership vary widely, from 45,000 to 250,000, see Samito, C. 2009. *Becoming American Under Fire: Irish Americans, African Americans, and the Politics of Citizenship during the Civil War Era.* Ithaca, NY, pp. 120-21; Kenny, *American Irish*, p. 128.

35 *Proceedings of the First National Convention of the Fenian Brotherhood held in Chicago, Illinois, November 1863.* l863. Philadelphia, p. 28.

36 O'Mahony, J. 'Special Order No. 9'. 31 Aug. 1864. Reprinted in *Fenian Spirit*, 8 Oct. 1864, p. 5; Warren to J. O'Mahony, 18 Oct. 1864, The Fenian Brotherhood Records and O'Donovan Rossa Personal Papers, Catholic University of America, The American Catholic History Research Center and University Archives, available at http://cuislandora.wrlc.org/islandora/object/achc-fenian%3A844#page/1/mode/1up [accessed 22 Nov. 2017].

37 *The Fenian Spirit*'s first issue was 20 Aug. 1864 and the last issue I have found is 22 Oct. 1864. Western Reserve Historical Society Library & Archives has the only extant copy of the issue for 20 Aug. 1864 that I have been able to locate in the United States. The National Archives of Ireland (hereafter NAI) has the fullest – and perhaps the complete – run of the newspaper, see E. M. Archibald to T. H. Burmley, file A2, Fenian Papers, 'A' Series, 'Reports from America', NAI.

38 'Information'. *Fenian Spirit*, 15 Oct. 1864, p. 8. News from Ireland, organised by county, regularly appeared on p. 8 of the paper.

39 The couplet comes from Thomas Davis' poem, 'Song for the Irish Militia'. In Duffy, J. 1846. *The Poems of Thomas Davis.* Dublin, pp. 21-3, at p. 23.

40 The paper ran in serial format, *The Life and Times of Aodh O'Neill* by John Mitchel, and biographical sketches on Theobald Wolfe Tone and Henry Grattan by John Savage. Foreign news usually ran on p. 3. For sample articles, see 'Poland'. *Fenian Spirit*, 17 Sep. 1864, p. 2; 'The Maories forever'. *Fenian Spirit*, 27 Aug. 1864, p. 3. On military tactics, see 'On the military science'. *Fenian Spirit*, 17 Sep. 1864, p. 4; 'Permanent and field fortification'. *Fenian Spirit*, 22 Oct. 1864, p. 6.

41 'Answers to correspondents'. *Fenian Spirit*, 15 Oct. 1864, p. 5.

42 'Professing patriots'. *Fenian Spirit*, 8 Oct. 1864, p. 4; 'A few words to young men'. *Fenian Spirit*, 15 Oct. 1864, p. 4.

43 'Ireland – Her position, and the duty of Irishwomen'. *Fenian Spirit*, 1 Oct. 1864, p. 4; Mahony, E. A. 'The Fenian Sisterhood of Quincy, Ill. To Irishwomen in America'. *Fenian Spirit*, 20 Aug. 1864.

44 'The true path'. *Fenian Spirit*, 27 Aug. 1864. 'We want war, not a war of words', Warren reiterated in 'Professing patriots'. *Fenian Spirit*, 8 Oct. 1864, p. 4.

45 'War–Revolution'. *Fenian Spirit*, 22 Oct. 1864, p. 4.

46 Anon. 1866. *Irish Rebellions: No. III. The Fenians of 1866.* [pamphlet] London, p. 12.

47 'The Fenians: Another Fenian war manifesto'. *New York Herald*, 1 Dec. 1866, p. 8.

48 Chamney, *Report of the Trial of John Warren*, pp. 39-40; for a more in-depth discussion of the *Erin's Hope* mission, see Salyer, L. E. Forthcoming. *Citizens by Choice: Irish Americans, the Fenian Revolt, and the Crisis of National Allegiance.* Cambridge, Mass.

49 Thomas J. Kelly to 'My Dear General', 15 Mar. 1867; 19 Mar. 1867, Fenian Brotherhood Records, box 2, folder 8, Catholic University Archives.

50 Anbinder, T. 2001. *Five Points: The 19th Century New York City Neighborhood that Invented Tap Dance, Stole Elections, and Became the World's Most Notorious Slum.* New York, pp. 1, 274-302; D'Arcy, W. 1947. *The Fenian Movement in the United States: 1858–1886.* New York, p. 245.

51 The following narrative about the *Erin's Hope* expedition is drawn from several primary and secondary sources, all of which have various biases. The most detailed first-hand accounts come from the testimony of the informer, Daniel J. Buckley and witness, Michael Gallagher, in the trials of John Warren and Augustine Costello in Dublin, see Chamney, *Report of the Trial of John Warren*, pp. 32-61, 88-95; *Queen v. Augustine Costello*, County Dublin Commission. 5 Nov. 1867. Chief Secretary's Office. Crime Branch Special. Fenian Briefs, box 11, NAI; report made by Captain John Kavanagh, captain of the vessel, to the Fenian Brotherhood upon his return to the US, which informs the 1916 pamphlet, O'Mullane, M. J. 1916. *The Cruise of the 'Erin's Hope;' or 'Gun-running in '67.* Dublin. Several historians of the Fenian movement include discussion of the *Erin's Hope* expedition, see especially D'Arcy, *Fenian Movement*, pp. 228-78; Jenkins, B. 1969. *Fenians and Anglo-American Relations during Reconstruction.* Ithaca, NY, pp. 236-41; Steward, P. and McGovern, B. 2013. *The Fenians: Irish Rebellion in the North Atlantic World, 1858–1876.* Knoxville, Tenn., pp. 162-75.

52 Dismissed as a traitor to the Fenian cause in most accounts, Buckley receives a more sympathetic treatment by historians Patrick Steward and Bryan McGovern who emphasise that Buckley was a four-year veteran of the Civil War who unintentionally wounded his two *Erin's Hope* crew members. They argue that Buckley was an 'unlikely turncoat', a devoted Fenian who had participated in the 1866 Roberts' raid in Campobello before joining the *Erin's Hope* expedition. They hypothesise that 'he may have decided that further privation was pointless because the Fenians had no chance of securing Irish independence. He may also have been a truculent individualist. During the Civil War, he had resigned a cavalry commission and re-enlisted as an infantry private after he began to suspect a promotion board had intentionally underscored one of his exams'. Unfortunately, they provide an insufficient citation for this information, so it is difficult to confirm Buckley's motivation, see Steward and McGovern, *Fenians: Irish Rebellion*, p. 171. Another account claims that Buckley had committed some 'unpardonable' offense during the Civil War and 'was terrified lest the American authorities

should hear of it', fearing it would lead to a court-martial and 'possible execution'. With this information in hand, Crown prosecutors pressured Buckley to testify against his shipmates. However, I have not been able to verify this story either, see Murray, S. 2003. 'The Fenian landing at Helvic'. Waterford County Museum, http://www.waterfordmuseum.ie/exhibit/web/Display/article/323/5/The_Fenian_Landing_At_Helvic_Arrest_And_Trial.html [accessed 15 Dec. 2010]. For reference to Buckley being born in Munster, see Chamney, *Report of the Trial of John Warren*, p. 32.

53 Baptismal records list a 'Pat Nugent' baptised in Clonakilty on 17 March 1842, son of Daniel Nugent and Anne Crowly from O. C. Lane (Old Chapel Lane), see Clonakilty parish, microfilm 04772 / 02, p. 95, CPR, NLI. He is likely the Patrick Nugent aboard *Erin's Hope*, as Daniel Nugent of Clonakilty petitioned Robert Warren, Attorney General for Ireland, for the release of his son, Patrick. Daniel Nugent alleged that his son 'went to America some few years since and previous to his departure he was not engaged in any treasonable practices but was a quiet well-conducted and industrious citizen and a good and obedient son'. Daniel claimed 'his son now regrets his connection with Fenianism which can be attributed only' to his 'youth and inexperience'. Dependent upon Patrick for support to obtain 'the bare necessaries of life', Daniel expressed confidence that if Patrick was released and 'allowed to proceed to America he will be of considerable assistance to Memorialist in supporting a struggling family, and will be taught by the bitter experience of the past to avoid any connection with Feniansim'. The petition was signed by 'gentlemen of position and influence' in Clonakilty, including [Henry?] Leader; Thomas Bennett, Corn Merchant; Patrick Madden, RCC; Daniel O'Leary; W. Roche; Timothy Canty; Michael O'Sullivan, Merchant. The other names are illegible. Nugent's trial at Sligo in March 1868 was discontinued when one of the jurors fell ill (allegedly from 'English cholera', the suspicion falling on the sheriff for plying the jurors with so much liquor the night before that they would be unable to serve). After 'admitting guilt', Nugent was released on 6 May 1868. See 'Memorial of Daniel Nugent of Clonakilty', Mayo Papers, MS 11,188, folder 24, NLI; 'List of all the Jackmel prisoners', Mayo Papers, MS 11,188, folder 26, NLI; 'Ireland'. *Times*, 5 Mar. 1868, p. 10; 'The Trial of Patrick Nugent'. *Irishman*, 7 Mar. 1868.

54 'The Dungarvan mystery'. *Boston Pilot*, 29 June 1867, p. 3 [reprinted *Cork Examiner* article, 6 June 1867]; 'The Dungarvan invasion'. *The Irishman*, 8 June 1867, pp. 792-3.

55 The violence ended in the death of Denis Walsh, a young 'salter' from the local bacon-curing establishment. Over thirty men, many of them policemen, sustained serious wounds. See Bloomfield to Larcom, 7 June 1867, Larcom Papers, file 7595, NLI; Goold to Naas, 22 June 1867, folder 7, file 43,887; 'A police outrage at Waterford'. *Irishman*, 22 June 1867, p. 822; 'Fatal rioting in Waterford – Attack

on the police'. *Irish Times*, 15 June 1867, p. 3; Goold to Larcom, 14 June 1867, Mayo Papers, folder 7, file 43,887, NLI; 'Desperate Fenian affray in Ireland'. *Illustrated Police News*, 22 June 1867, issue 175.

56 Chamney, *Report of the Trial of John Warren*, pp. 129-33.

57 'Trial of Augustine E. Costello'. *Freeman's Journal*, 8 Nov. 1867; *Queen v. Augustine Costello*, County Dublin Commission. 5 Nov. 1867. Chief Secretary's Office. Crime Branch Special. Fenian Briefs, box 11, folder 9/c, NAI. Fenian William Halpin was sentenced at the same time for his part in the Rising of 5 March. See *Report of the Trial of William Halpin*. 1868. Dublin.

58 Memorial to Lord Justices of Ireland. In a letter from John Lawless to William West, US Consul at Dublin, 30 July 1867, vol. 6. US Consular Dispatches, 1790–1906. Dublin, microfilm reel T.199, NARA.

59 Timothy Irwin to sister, Mary Jane Irwin O'Donovan Rossa, 22 Jan. 1868, Fenian Brotherhood Records, Catholic University Archives, available to view at http://cuislandora.wrlc.org/islandora/object/achc-fenian%3A1222 [accessed 22 Nov. 2017]; Maxwell to James Irwin, 8 Oct. 1867. Fenian Brotherhood Records. Catholic University Archives, available to view at http://cuislandora.wrlc.org/islandora/object/achc-fenian%3A773#page/2/mode/1up [accessed 22 Nov. 2017]. Joanna and her children had moved into the house of Mary Ann O'Leary (John Warren's sister) in Arlington during Warren's absence.

60 'The true path'. *Fenian Spirit*, 27 Aug. 1864, p. 4; 'Ireland – Her position, and the duty of Irishwomen'. *Fenian Spirit*, 1 Oct. 1864, p. 4.

61 'Imagine', encouraged Warren in his vivid letter, 'A voice from the dungeon' – printed in both Irish and American newspapers – that 'you arrive' in Ireland, '[y]ou may have been supplied with a passport, and consider yourself perfectly safe … you wear a good coat and a villainous mustache, and you have acquired a habit of standing erect and dashing ahead, swinging your hand, and, your republican barbarism, if you meet a lord, you don't take your hat off; you look him right in the face; you don't get nervous. You wear the murdering square-toe [boots] … All go to prove that your education is dangerous; that you don't worship monarchy; that you're a republican–a freeman'. As an American, 'You're pounced on'. See 'A voice from the dungeon'. *Dublin Weekly News*, 31 Aug. 1867, reprinted in *Papers Relating to Foreign Affairs, accompanying the Annual Message of the President to the Second Session Fortieth Congress, Part I*. 1868. Washington, D.C. pp. 134-5.

62 Chamney, *Report of the Trial of John Warren*, pp. 17-20. The court drew heavily on the legal theorist, William Blackstone, who wrote: 'Subjects born within the sovereign's realm were subjects forever as their natural allegiance was "intrinsic and primitive" … written by the finger of the law in their hearts'. The subject's allegiance could not 'be forfeited, cancelled, or altered, by any change of time, place, or circumstance'. See Blackstone, W. 1765–69. *Commentaries on the Laws of*

England, vol. I, pp. 357-8. [facsimile of first edition, published 1979, Chicago.] This was at the heart of the dispute, as Warren and others who embraced the idea of 'voluntary allegiance' insisted that they were not bound by an allegiance they had never freely chosen.

63 Chamney, *Report of the Trial of John Warren*, p. 126; 'British citizenship'. *New York Times*, 27 Jan. 1868, p. 8.

64 Chamney, *Report of the Trial of John Warren*, p. 128.

65 'Great demonstration in Boston'. *Boston Pilot*, 21 Dec. 1867, p. 3; 'A lecture by George Francis Train'. *Boston Pilot*, 21 Dec. 1867.

66 In addition to Salyer, Forthcoming. *Citizens by Choice*; see Sim, D. 2013. *A Union Forever: The Irish Question and U.S. Foreign Relations in the Victorian Era*. New York.

67 'An Act Concerning the Rights of American Citizens in Foreign States'. 27 July 1868. 40th Cong. 2nd sess., 15 Stat. 223.

68 'An Act to Amend the Law Relating to the Legal Condition of Aliens and British Subjects, 12th May, 1870' (33 & 34 Vict. c. 14). The act limited the right of married women to naturalise, however. See Section 17. For treaty, see 1870 Naturalization Convention, concluded 13 May 1870, in Henry, B. L. 1899. *Compilation of Treaties in Force*. Washington, D.C., pp. 245-7.

69 'Colonel Warren's reception in the South'. *Irish Times*, 18 Mar. 1869.

70 'Whilom' is an old English word meaning 'formerly' or 'in the past'. See http://www.worldwidewords.org/weirdwords/ww-whi1.htm [accessed 22 Nov. 2017].

71 'Colonel Warren's reception in the South'. *Irish Times*, 18 Mar. 1869. On receptions, see newspaper clippings forwarded by William West to Secretary of State, 19 Mar. and 20 Mar. 1869, *Dublin Despatches*, vol. 6.

72 'Unconquered still!'. *Weekly News* (Dublin), 3 Apr. 1868, p. 1; West to Fish, 19 Mar. and 20 Mar. 1869, *Despatches from Dublin*, vol. 7; editorial, *Daily Express* (Dublin), 19 Mar. 1869; 'The Fenian meeting at Cork'. *Leeds Mercury*, 1 May 1869; Warren's letter to the editor, *The Nation*, 3 Apr. 1869; on 'The Sword of Bunker Hill', see http://www.drjosephwarren.com/2015/07/the-sword-of-bunker-hill/ [accessed 22 June 2017].

73 Editorial, *Daily Express*, 19 Mar. 1869; 'From our London correspondent'. *Dublin Evening Post*, 19 Mar. 1869; 'The fruits of the Fenian amnesty'. *Dublin Express*, 27 Mar. 1869; 'House of Commons: Recent events in Ireland'. *Illustrated London News*, 8 May 1869, p. 462; *Brooklyn Eagle*, 22 July 1869, p. 2.

74 O'Donovan Rossa, J. 1899. *Irish Rebels in English Prisons: A Record of Prison Life*. New York, p. 321.

75 Though Timothy Warren declared in probate records his father left no widow, Bridget Warren was very much alive, filing for benefits as a widow of a Civil War veteran in 1895. See Widow Application no. 621.156, 30 Sep. 1895, Federal Military Pension Applications, NARA, which includes an affidavit from Patrick Bryee,

sexton of St Patrick's Cathedral in Newark, New Jersey, verifying the marriage of Warren and Smith on 11 Nov. 1872; Suffolk County, Massachusetts, Probate Records, 'Petition for administration of probate by Timothy Warren', decree of 12 May 1898, second series, vol. 745, p. 247.

76 'Irishmen's "New Movement"'. *Boston Daily Globe*, 14 Sep. 1895, p. 7; 'Ireland's martyr hero'. *Boston Daily Globe*, 5 Mar. 1886, p. 2.

77 H.R. 4489, 52nd Cong., 1st sess., and other papers in Accompanying Paper Files of Petition of John Warren, 52nd Cong., Records of the House of Representatives, RG 233. Business card attached to Warren to Secretary of War, 1 July 1892.

78 'Honored as a patriot'. *Boston Daily Globe*, 16 Sep. 1895, p. 7. Warren died from a skull fracture after being hit on the head by a piece of granite, falling off the Masonic Temple near Boston Common. See 'Col. John Warren dying'. *Boston Daily Globe*, 14 Sep. 1895, p. 8; 'Death of Col. John Warren'. *Boston Daily Globe*, 15 Sep. 1895, p. 20; 'Col. John Warren dead'. *Boston Herald*, 15 Sep. 1895; 'The late Colonel Warren'. *Boston Post*, 15 Sep. 1895; 'Death of a famous Fenian'. *Pilot*, 21 Sep. 1895; 'Col. John Warren dies at Boston'. *New York Times*, 15 Sep. 1895, p. 13; 'A famous Fenian dead: One of the crew of the Jacknel'. *Freeman's Journal*, 26 Sep. 1895, p. 5; 'Death of a famous Fenian: A native of Clonakilty'. *Southern Star*, 5 Oct. 1895, p. 3; 'Spies from Scotland Yard in America'. *Evening Herald*, 4 Oct. 1895, p. 4; Massachusetts death records, 'Deaths Registered in the City of Boston', 1891–95, vol. 456, p. 365.